

Docket No.: 066672-0019

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George, Frank R., et al.
Appl. No. : 10/759,526
Filed : January 16, 2004
Title : ELECTROMAGNETIC
ACTIVATION OF GENE
EXPRESSION AND CELL GROWTH

Customer No.: 41552
Confirmation No.: 7037
CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-
transmitted to the United States Patent and Trademark Office on **Nov**
15, 2007.

/Lori Ford/

Lori Ford

Grp./A.U. : 1636
Examiner: : McGillem, Laura L.

TRANSMITTAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached please find a Notice of Appeal:

☒ Authorization to Charge to Deposit Account No. 502624 the amount of \$250.00.

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Astrid R. Spain/

Astrid R. Spain
Registration No. 47,956

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 ARS:llf
Facsimile: 858.597.1585
Date: November 15, 2007

**Please recognize our Customer No. 41552
as our correspondence address.**

Docket No.: 066672-0019

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 41552
	:	
George, Frank R., et al.	:	Confirmation Number: 7037
	:	
Application No.: 10/759,526	:	Tech Center Art Unit: 1636
	:	
Filed: January 16, 2004	:	Examiner: McGillem, Laura L.
	:	
For: ELECTROMAGNETIC ACTIVATION OF GENE EXPRESSION AND CELL GROWTH		

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on Nov 15, 2007.

/Lori Ford/

Lori Ford

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 3, 2007, of the Primary Examiner finally rejecting claims 1-3, 5-15, 17-28, and 63-86.

Appeal Fee: \$250.00

☒ Charge to Deposit Account No. 502624.

10/759,526

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Date: November 15, 2007

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as our correspondence address.**

Electronic Patent Application Fee Transmittal

Application Number:	10759526			
Filing Date:	16-Jan-2004			
Title of Invention:	Electromagnetic activation of gene expression and cell growth			
First Named Inventor/Applicant Name:	Frank R. George			
Filer:	Astrid R. Spain/Lori Ford			
Attorney Docket Number:	66672-019			
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	2401	1	255	255
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				255

Electronic Acknowledgement Receipt

EFS ID:	2472248
Application Number:	10759526
International Application Number:	
Confirmation Number:	7037
Title of Invention:	Electromagnetic activation of gene expression and cell growth
First Named Inventor/Applicant Name:	Frank R. George
Customer Number:	41552
Filer:	Astrid R. Spain/Lori Ford
Filer Authorized By:	Astrid R. Spain
Attorney Docket Number:	66672-019
Receipt Date:	15-NOV-2007
Filing Date:	16-JAN-2004
Time Stamp:	14:52:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	82642.pdf	13093 686764c0e8200885c2658fddc6ceac6e3e90dca12	no	1

Warnings:

Information:

2	Notice of Appeal Filed	82639.pdf	20818 2b6d2027a6abd8222e7e2aaf0ecbf39c449daf0	no	2
Warnings:					
Information:					
3	Fee Worksheet (PTO-06)	fee-info.pdf	8138 ec8ba6dc4555558b6e83154ef9663eff2fe6435e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			42049		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					